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*Counsel for Defendants Diversified Builders Group, Inc.,
Christopher J. Spano and Ronald M. Baglieri*

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TEXT 100 CORPORATION,

Plaintiff,

v.

DIVERSIFIED BUILDERS GROUP, INC., a
New Jersey corporation; CHRISTOPHER J.
SPANO; RONALD M. BAGLIERI; and DOES
1 through 20, inclusive,

Defendants.

Case No.: C 06-03928 WHA

**STIPULATION AND ~~[PROPOSED]~~ ORDER
OF DISMISSAL**

IT IS HEREBY STIPULATED by and between the parties herein, through their respective
counsel of record as follows:

STIPULATION AND ORDER OF DISMISSAL

WHEREAS, Plaintiff Text 100 Corporation has resolved its differences with defendants Diversified Builders Group, Inc., Christopher J. Spano and Ronald M. Baglieri (“Defendants”) through an executed settlement agreement and mutual release of claims and now wishes to the terminate this action with prejudice;

WHEREAS, Defendants have no objection to the termination of this action;

The electronic filer attests that the individuals whose names appear below, have signed this document. See General Order 45, Section X.

Dated: September 28, 2006

STEIN & LUBIN LLP

/s/ Tanya Herrera
TANYA HERRERA
Counsel for Plaintiff Text 100 Corporation

Dated: September 28, 2006

MORGAN MILLER BLAIR, A LAW CORPORATION

/s/ Eric W. Benisek
ERIC W. BENISEK
Counsel for Defendants Diversified Builders Group, Inc.; Christopher J. Spano; and Ronald M. Baglieri

~~[PROPOSED]~~ ORDER

NOW, THEREFORE, upon the consent of the parties hereto, it is hereby ORDERED, ADJUDGED AND DECREED that pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the present action is dismissed with prejudice and each party shall bear its own costs and attorneys’ fees incurred in this action.

IT IS SO ORDERED.

Dated: September 28, 2006

